

**UNITED STATES COURT OF APPEALS  
FOR THE  
DISTRICT OF COLUMBIA CIRCUIT**

HENDRICKSON TRUCKING COMPANY,

*Petitioner,*

v.

NATIONAL LABOR RELATIONS BOARD,

*Respondent.*

INTERNATIONAL BROTHERHOOD OF  
TEAMSTERS (IBT), Local 1038,

*Intervenor.*

Case No. 17-1226

**UNOPPOSED PETITIONER, HENDRICKSON TRUCKING COMPANY’S,  
MOTION TO RESCHEDULE ORAL ARGUMENT**

Petitioner, Hendrickson Trucking Company, by its undersigned counsel, hereby moves the Court to reschedule the oral argument in this matter currently set for October 16, 2018 at 9:30 A.M. In support of this motion, Petitioner states as follows:

1. On August 27, 2018, the Court scheduled oral argument for October 16, 2018 at 9:30 A.M. (Doc. #1747513)
2. Timothy J. Ryan will argue this case on behalf of Petitioner.
3. Mr. Ryan has a significant scheduling conflict on that date. He will be

representing Knape & Vogt Manufacturing Company in *Kyle Davis v. Knape & Vogt Manufacturing Co.* (Case No. 1:16-cv-1023) currently pending in the United States District Court for the Western District of Michigan. The trial of that matter is scheduled to begin on October 16, 2018, posing a direct conflict. (Ex. 1, Order Scheduling Final Pretrial Conference and Jury Trial.)

5. Mr. Ryan is the lead attorney in this matter and the sole attorney who has appeared in the National Labor Relations Board proceedings below.

6. Counsel for the National Labor Relations Board has advised that they will not oppose this request, provided that oral argument can be scheduled no later than November 16, 2018. However, if the Court is unable to schedule oral arguments before that date, then the National Labor Relations Board would oppose the motion.

7. Counsel for the intervenor, International Brotherhood of Teamsters, Local 1038, have advised Petitioner's counsel that they do not oppose this request.

7. Accordingly, Petitioner respectfully requests that the Court reschedule oral argument on another date convenient for the Court due to the Petitioner's counsel's scheduling conflict. Counsel is mindful of Cir. R. 34(g); however, Petitioner respectfully asserts that the circumstances here warrant rescheduling the oral argument.

WHEREFORE, for the reasons set forth herein, Petitioner, Hendrickson

Trucking Company, respectfully requests that the Court grant its motion, strike the current date for oral argument of October 16, 2018, and reschedule oral argument on a date convenient for the Court.

Respectfully submitted,

**JACKSON LEWIS P.C.**

By: /s/ Timothy J. Ryan  
Timothy J. Ryan (P40990)  
Jackson Lewis P.C.  
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Grand Rapids, Michigan 49503  
Email:  
[Timothy.Ryan@jacksonlewis.com](mailto:Timothy.Ryan@jacksonlewis.com)

Dated: August 29, 2018

*Counsel for Petitioner  
Hendrickson Trucking Company*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on August 29, 2018, I have caused the foregoing Motion to Reschedule Oral Argument was submitted for filing with the Clerk of Court via ECF, with service electronically through the Court's ECF system on all registered counsel of record.

/s/ Timothy J. Ryan

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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KYLE DAVIS,

Plaintiff,

v.

Case No. 1:16-CV-1023

KNAPE & VOGT MANUFACTURING  
COMPANY,

HON. GORDON J. QUIST

Defendant.

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**ORDER SCHEDULING**  
**FINAL PRETRIAL CONFERENCE AND JURY TRIAL**

Jury selection and trial is scheduled before The Honorable Gordon J. Quist on **October 16, 2018, at 8:30 AM**, Courtroom 499, Ford Federal Building, 110 Michigan, NW, Grand Rapids, Michigan. Counsel and the parties shall be present in the courtroom at 8:30 AM to address preliminary matters.

A final pretrial conference is scheduled before The Honorable Gordon J. Quist on **October 10, 2018, at 3:00 PM**, 482 Ford Federal Building, 110 Michigan, NW, Grand Rapids, Michigan. The parties shall file an Amended Final Pretrial Order.

The parties shall refer to the Case Management Order (ECF No. 26) filed in this case regarding final pretrial and trial filing instructions and information.

Dated: July 26, 2018

/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE